

## RECOMMENDATIONS

version 8/14/10

There is no ~~consensus agreement~~ behind increasing the authority of the CARPC. Centralized authority is not favored in the U.S. historically, due to concerns regarding concentration of power and decision-making in one unit of government.

There is clear evidence that fragmented local decision-making can result in adverse regional and inter-jurisdictional impacts. It also results in duplication of efforts, inter-jurisdictional competition, and inefficiencies and ineffectiveness in responding to large-scale problems and challenges. These shortcomings have resulted in “fragmented regionalism”, which seeks to address specific problems regionally but still lacks a comprehensive scope.

For example, there is no review of regional land use issues with a full comprehensive scope evaluating the interaction between land use, infrastructure and utility service delivery, resource use, and water quality. Therefore, the CARPC, through its advisory goals and objectives, and through its quasi-regulatory water quality planning responsibilities (which include policies and criteria for the expansion of sewer service areas), may be the agency to address regional land use and planning issues on a comprehensive basis.

Therefore, the following recommendation:

1. Develop a *broad* regional ~~consensus agreement~~ for comprehensive objectives that are important for the well-being, sustainability, and vitality of the region. Generate implementation measures to achieve these objectives through a consistent process that allows for differing sizes and capabilities in local units of government.

*Details:*

- Create a workgroup of the CARPC and charge it with the task of building trust for the CARPC, and building ~~consensus support~~ behind specific authority which might be added to the CARPC to enable it to address critical and strategic challenges facing the region in the next 50 years (this may require a process that first builds ~~consensus agreement~~ behind what these critical and strategic challenges are ).
- Build trust ~~with-between CARPC and~~ local units of government through collaboration and cooperation by:
  - Arranging bus tours for the CARPC to visit examples of development in the region
  - ~~Commissioners A~~ attending local planning meetings
  - ~~CARPC staff P~~ providing comments on proposed plans
  - ~~CARPC staff P~~ providing consultant services to local units of government

- *Creating a venue for intergovernmental sharing and discussion of long-range growth plans*
  - *CARPC staff providing comments on long-range growth plans*
  - *CARPC staff increasing outreach and education activities*
  - *Making reports available to units of government in advance of their planning activities*
  - *Holding work sessions and charrettes around the region (with Commissioners and Commission staff participating)*
  - *CARPC staff making presentations on specific subjects and issues around the region*
  - *Recognizing good projects in the newsletter or through awards*
  - *CARPC staff providing technical information and assistance to local units of government to allow these units to deal with regional issues and opportunities*
  - *Creating venues for the Commission to discuss its view of regional issues and opportunities with local units of government and other interested parties*
- *Blend regional authority with local authority:*
    - *There is a diversity of opinion regarding the duties, responsibilities, and authority of the CARPC. This diversity of opinion may be caused, in part, by misinformation and differing interpretations of the governing statutes and founding agreements which provide the basis for the duties and responsibilities of the CARPC.*

*The Commission should undertake a detailed Legal and Institutional Analysis of the responsibilities and authority of the CARPC. This analysis should result in a report outlining how the authority of various levels of government dovetail into one another, and clarifying these roles, responsibilities, and clearing up any confusion in the delineation of authority. Such a study should also result in a series of memoranda of understanding (MOUs) between the CARPC and the entities in charge of planning, review, implementation, and enforcement of regional issues, clearly outlining the role of each entity. This would update and expand a similar study conducted as part of the Dane County Water Quality Plan in 1978.*

- *Regional actions have local impacts; similarly, some local actions have regional impacts. The CARPC should stay out of local issues that do not have regional impacts. The FUDA planning process has great promise for providing a vehicle to blend local and regional needs and opportunities based on a collaborative, joint decision-making process. It is important for the CARPC to continue to provide flexibility for local management agencies in how regional goals are achieved through local action. It is also important for the CARPC to clearly*

define the interrelationship between local actions and regional impacts to inform both the local and the regional decision-making.

- *Provide Incentives for Good Planning:*

The Workgroup looked into a scoring approach and did not find it to be workable. A document that clearly shows the minimum standards required for service area amendments in the form of a checklist would be helpful to local units of government in planning for amount, type, and location of growth.

An Advance Planning Guidebook of best planning practices may also be helpful if it doesn't replace required minimum standards. Such a guidebook would require careful evaluation by a technical group to come up with specific best planning and design practices that fit the conditions on the ground. The Guidebook is not intended to replace minimum standards.

- *Increases in Density:*

Each service area should have an analysis of what overall density target would be pertinent to its location, to help the community to reach the community target.

- *Intergovernmental Coordination:*

Commission should continue to provide intergovernmental coordination of planning between cities, villages, and towns as a routine part of planning.

- *Provide a Venue for Cooperation and Conflict Resolution:*

The CARPC should continue to act as the venue for intergovernmental and interjurisdictional coordination and cooperation. If requested, it should allow RPC staff to facilitate discussions between city, village, and town officials concerning their planning issues. The RPC should not insert itself in annexation and border conflicts where parties are not open to RPC involvement. Intergovernmental cooperation should not be a requirement or condition for service area amendments.

- *Use joint fact-finding processes to promote consensus behind objective metrics and standards concerning relevant regional issues. Relevant issues are those having to do with water quality and natural resources, rural and agricultural lands, growth, development, public participation, transportation, transit, regional waste management, and economic development.*

- *Use the results of the fact-finding process to promote a dialogue to inform all stakeholders and to be informed of their concerns. Ensure that the process is inclusive and respectful of those entities that have the statutory authority to implement the resulting plans and goals.*
    - *Solicit presentations from stakeholders*
    - *Hold joint meetings and encourage interaction with the Lakes and Watershed Commission*
    - *Hold joint meetings with the MATB(MPO)*
  - *Implement measures to support participation by a broad segment of the residents and stakeholders of the region.*
    - *Defer action if more information is needed regarding a proposal*
    - *Schedule regular Commission meetings outside Madison*
  - *CARPC to provide leadership to build consensus among all the units of government in the region.*
  - *CARPC to undertake greater outreach activities and distribute its reports and issue papers more widely.*
2. *Improve the USA application process to focus on broad development goals and good planning.*

*Details:*

- *Produce a brochure concerning USA amendments outlining requirements, expectations, general time frame, standards, etc.*
  - *Recognize good projects in newsletter or through awards.*
3. *CARPC to use approaches that incorporate both education/encouragement and standards/enforcement, in that order. Use MOUs in areas where CARPC does not have clear enforcement authority, and monitor compliance with MOUs.*
4. *CARPC should encourage applicants to present development concepts in the beginning stages of neighborhood planning or other development planning. The Commission should provide guidance to applicants regarding information that should be provided at these consultative sessions. CARPC staff should prepare summary reports to inform the commission of issues and opportunities related to the location and development concept, so these can be frankly discussed by the Commission, providing substantive feedback to the applicant for use in finalizing the neighborhood plan, and for developing service area amendment proposals*

**Suggestions needing decision/detail:**

1. CARPC should implement an expedited process and delegate responsibility to process certain small, “no-brainer” applications to staff, with quick action by Commission.  
KM has discussed the idea of having consent items on the CARPC agenda. This will not provide any time-savings, and can potentially delay the process of acting on service area amendments. It may be best to make this a recommendation and leaving the definition and process to the Commission.
2. Ideas for the identification of permanent (long-term) preservation areas to eliminate all undevelopable land; give local units flexibility to develop on remaining land  
This is FUDA planning. It is my intent to recommend to the Commission to continue the Workgroup to flesh out the details of our FUDA planning approach.
3. Ideas for the identification of resilience factors and “no regrets” strategic planning decision items that would allow long range planning on these items. For example 2050 and 2100 are important thresholds concerning climate change and oil production decline.
  - Dependence on unsustainable sources of energy
  - Limiting the natural attenuation capability of environmental systems
  - Fragmentation of environmental interconnections
  - Fragmentation of structural and institutional capabilities
  - Others?
4. When should planning for urban expansion occur? Prior to annexation or after annexation. Back to “what is the RPC role in intergovernmental agreements/relations?”
  - If the CARPC is to stay out of boundary conflicts, it would have to stay out of this as well. It has been argued that USA amendments encourage annexation. We have experimented with this, and the two appear not to be related, other than in people’s perception.
5. Ideas on approaches to assess the balance between economic development and conservation/environmental protection.
  - NR 121 speaks to this in general terms. WDNR includes this in its review and approval.
6. Approach to organically changing conservation standards
  - The water quality standards that the RPC is supposed to use in its work are related to stream classification and use. These change according to ever evolving research where new threats to a current use are shown. The Commission cannot turn a blind eye on these findings. THIS IS ALSO RELATED TO #10 BELOW.

7. Approaches to balance the need for more prescriptive development standards with the need for flexibility to maximize creative, innovative solutions to problems.
  - The RPC has used performance standards. The DNR is moving towards performance standards. The value of performance standards is that they provide flexibility for creating the best fit with the same outcome, and sometimes with better outcomes.
8. What is the place for market driven, opportunistic development planning? Ideas for standards and approaches.
9. What is the intent for the criteria? Strict standards vs. guidelines vs. guarantees of approval. What process should the RPC use in the exercise of its policy prerogative?
10. Approach to the use of site specific information in decision-making vs. region-wide minimum standards that are not protective of specific resources. Mitigation standards vs. minimum standards.
11. Recommendations on how specific and detailed amendment proposals should be.
  - Currently, it is enough specificity to allow an evaluation of the impacts of the proposal
12. Rule-making process
13. Consistency in applying rules in decision-making by CARPC

**Parked Issues for Later:**

1. Invite municipal planning commissioners to explain local plans and policies.
2. Develop mechanism to ensure RPC commissioners understand the planning intent of local comp plans.